

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

Atty Dkt. MJW-39-206

C# M#

Confirmation No. 8022

TC/A.U.: 1641

Examiner: Yang, N.

Date: August 18, 2009

In re Patent Application of

CLARKE et al

Serial No. 09/529,342

Filed: July 27, 2000

Title: PARTICLES



Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

**NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$540.00 (1401)/\$270.00 (2401) \$ 270.00 applicant's claim(s).

An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$540.00 (1402)/\$270.00 (2402) \$  
 Credit for fees paid in prior appeal without decision on merits -\$ ( )  
 A reply brief is attached. (no fee)

Pre-Appeal Brief Request for Review form attached. 08/19/2009 SZEWIDIE1 00000042 09529342  
01 FC:2401 270.00 OP  
02 FC:2252 245.00 OP

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) One Month Extension \$130.00 (1251)/\$65.00 (2251)  
Two Month Extensions \$490.00 (1252)/\$245.00 (2252)  
Three Month Extensions \$1110.00 (1253)/\$555.00 (2253)  
Four Month Extensions \$1730.00 (1254)/\$865.00 (2254) \$ 245.00

"Small entity" statement attached.

Less month extension previously paid on -\$ ( )

**TOTAL FEE ENCLOSED** \$ 515.00

**CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

01 FC:2401  
02 FC:2252

270.00 OP  
245.00 OP